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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,958	03/17/2004	Karl Pfleger	16113-326001/GP-134-10-US	4198
26192 7590 10/02/2009 FISH & RICHARDSON P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022				
EXAMINER				
PULLIAM, CHRISTYANN R				
ART UNIT		PAPER NUMBER		
2165				
NOTIFICATION DATE		DELIVERY MODE		
10/02/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10802958	3/17/2004	PFLEGER ET AL.	16113-326001/GP-134-

10-US

EXAMINER

Christyann RF. Pulliam

ART UNIT PAPER

2165 20090928

DATE MAILED:

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Commissioner for Patents

The Supplemental Appeal Brief filed September 14, 2009 has been received. This new brief corrects the errors regarding the claim language in the claims appendix cited in the Notice of Defective Appeal Brief mailed August 14, 2009 and the Order Returning Undocketed Appeal to Examiner mailed July 31, 2009. The claims in the current claims appendix do contain the proper form of the claims.

Since the arguments of the Examiner were based on the version of the claims now presented in the claims appendix, no new examiner's answer need be issued.

The application will be forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christyann Pulliam whose telephone number is 571-270-1007. The examiner can normally be reached on 9:00AM-5:30PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Neveen Abel-Jalil can be reached on 571-272-4074.

/Christyann Pulliam/
September 28, 2009

/Naveen Abel-Jalil/
Supervisory Patent Examiner, Art Unit 2165